

ORDINANCE NO. _____

**An Ordinance Amending
Ordinance 623, Zoning Districts of the
City of O’Fallon, Illinois (Planned Use
Development known as
“Regency Center II and III”
Parcel Number 03-25.0-327-025)**

WHEREAS, the petitioner, BJR Properties, Inc., Ron Schantz, is requesting 2.04 acres of land located at 120 & 124 Regency Park Drive in O’Fallon, IL be rezoned from B-1, Community Business, to B-1(P), Planned Community Business pursuant for the proposed development shown on the attached Preliminary Site Plan (Exhibit B); and

WHEREAS, the petitioner filed an application with the Planning Commission of the City of O’Fallon, Illinois pursuant to the requirements of all applicable laws, including City Ordinance 2052, “Planned Uses,”; and

WHEREAS, said Planning Commission of the City of O’Fallon, Illinois held a public hearing on January 11, 2005 in accordance with state statute, and voted 7-0 to approve the petitioner’s request to obtain B-1(P) District zoning for the property subject to the conditions as outlined in the adopted Planning Commission Report, attached hereto and declared to be an inseparable part hereof (Exhibit A); and

WHEREAS, the Community Development Committee of the City Council reviewed this project on January 24, 2005, and recommended approval of the Preliminary Site Plan with conditions by a vote of 4-0; and

WHEREAS, the applicant has agreed to develop the property and buildings in accordance with the attached Preliminary Site Plan, along with the building types and materials included in Exhibit B, and consistent with the recommendations of staff, and all applicable laws, including City Ordinance 2052 regulating Interim Planned Uses, in a manner considerate of adjoining properties, and to protect the general public safety, health, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF O’FALLON, ST. CLAIR COUNTY, ILLINOIS AS FOLLOWS:

Section 1. Approval of the Zoning Amendment and Preliminary Site Plan. That upon the effective date of this Ordinance, the described property, known as “Regency Center II & III” Planned Use, be henceforth classified as zoning district B-1(P), Planned Community Business from its present B-1 zoning designation and that said development be approved as a Planned Development and constructed in accordance with the proposed Preliminary Site Plan and the conditions set forth in Exhibit A. The terms and conditions of the approval are as provided in the attachments from the Planning Commission and

include the following:

1. Soil borings and testing shall be conducted on site to determine soil compaction prior to the issuance of building permits.
2. A final landscape plan shall be submitted and approved by staff prior to installation of landscaping. The landscape plan shall include landscaping around the perimeter of the building and parking area and also include landscaping in the interior of the parking area.
3. A final colored building elevation shall be submitted and approved by staff which incorporates a variation of color to the front façade (west elevation).
4. If in the future, the development includes a use which will require planned use approval, the number of parking spaces will be addressed and the parking space requirement may be increased.

Section 2. Filing. A Certified Copy of this ordinance, with all referenced attachments, shall be filed with the City Clerk’s office of the City of O’Fallon, Illinois.

Section 3. Passage. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed by the City Council this _____ day of _____.

ATTEST:
 (seal)

Approved by the Mayor this _____ day
 of _____.

 Philip A. Goodwin, City Clerk

 Gary L. Graham, Mayor

ROLL CALL:	Albrecht	Bennett	Bequette	Drolet	Grogan	Horton	Medford	SUB TOTALS
Aye								
Nay								
Absent								

ROLL CALL:	Boone	Mouser	Reckamp	Henry	Renner	True	West	SUB TOTALS	SUM OF TOTALS
Aye									
Nay									
Absent									

